

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

UNITED STATES OF AMERICA

v.

LAWRENCE MICHAEL DRAYTON

*
*
*
*
*

CR 612-018-20

O R D E R

Defendant Lawrence Michael Drayton has filed a fifth motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). (See Orders of June 16, 2020 (Doc. 1408), April 23, 2021 (Doc. 1447), July 19, 2021 (Doc. 1470), October 24, 2022 (Doc. 1486) (all denying compassionate release).) Defendant sets forth two grounds warranting the requested relief. First, Defendant contends he is eligible for relief under § 404(b) of the First Step Act of 2018. Second, Defendant contends that he is "still in harm[']s way" because of his medical conditions in a COVID-affected prison environment. (Doc. 1494, at 2.)

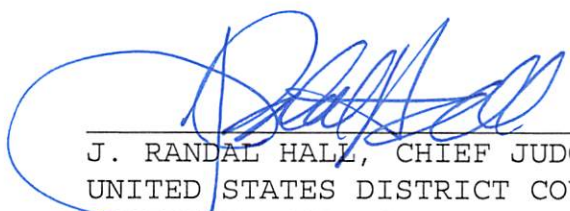
On October 24, 2022, the Court carefully explained to Defendant that it does not have discretion to go outside of the categories listed in the applicable Policy Statement of the United States Sentencing Commission, U.S.S.G. § 1B1.13, and its application note. (See Order of Oct. 24, 2022, Doc. 1486, at 2.) Thus, the Court could not address Defendant's claim that he is no

longer a career offender. (Id.) Similarly, here, the Court cannot consider Defendant's eligibility under § 404(b) of the First Step Act under the compassionate release provision.

With respect to his claim related to his medical condition, the Court previously found that Defendant could not establish a serious medical condition warranting compassionate release. (Id. at 2-3.) In his present petition, Defendant has presented no new evidence or argument that would warrant a contrary finding. In short, Defendant has still failed to show his medical condition, even if in a COVID-affected environment, constitutes an extraordinary and compelling reason to warrant early release.

Upon the foregoing, Defendant Drayton's present motion for compassionate release (doc. 1494) is DENIED.

ORDER ENTERED at Augusta, Georgia, this 8th day of June, 2023.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA